

22-16-00 A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC759-U.S. PTO
03/15/00

Docket No. A-67860-3/RMS/DAV

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL
NUMBER EL465283885US

DATE OF DEPOSIT March 15, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME HAMMID SANCHEZ

SIGNED H = S =

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

☐ Original

☐ Continuation

☐ Divisional

☒ Continuation-in-part

Application under 37 C.F.R. 1.53(b), in the name of DAVID MACK and KURT C. GISH
for NOVEL METHODS OF DIAGNOSING AND TREATING BREAST CANCER, COMPOSITIONS, AND
METHODS OF SCREENING FOR BREAST CANCER MODULATORS.

1. (a) ☒ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☐ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☐ Enclosed is a copy of the prior executed Declaration as
originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
(b) ☐ A Small Entity Affidavit is of record in the prior application.

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09/525361
03/15/00

4. _____ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

| FOR: | (Col. 1) NO. FILED | (Col. 2) NO. EXTRA | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | |
|--|-----------------------|-----------------------|--------------|---------|----|------------------------------|---------|
| | | | RATE | FEE | OR | RATE | FEE |
| BASIC FEE | | | | \$345 | OR | | \$690 |
| TOTAL CLAIMS | _____ -20 = * | _____ | x 9 = | \$_____ | OR | x 18 = | \$_____ |
| INDEP CLAIMS | _____ -3 = * | _____ | x 39 = | \$_____ | OR | x 78 = | \$_____ |
| [] MULTIPLE DEPENDENT CLAIM PRESENTED | | | +130 = | \$_____ | OR | +260 = | \$_____ |
| *If the difference in Col. 1 is less than zero, enter "0" in Col. 2. | | | TOTAL | \$_____ | OR | TOTAL | \$_____ |

5. _____ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300.

6. X NO filing fee is enclosed.

7. _____ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. _____ Amend the specification by inserting before the first line the sentence:

--This is a _____ continuation _____ division X continuation-in-part of pending applications Serial No. 09/268,865, filed March 15, 1999; Serial No. 09/439,878, filed November 12, 1999; Serial No. 09/440,370, filed November 12, 1999; Serial No. 09/440,493, filed November 15, 1999; Serial No. 09/440,676, filed November 16, 1999; Serial No. 09/440,677, filed November 16, 1999; Serial No. 09/450,810, filed November 29, 1999; Serial No. 09/453,137, filed December 2, 1999; and Serial No. NOT ASSIGNED, filed March 8, 2000.--

9. (a) X 188 sheets of drawings are enclosed.

10. (a) _____ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.

(b) _____ The certified copy has been filed in prior application Serial No. _____ filed on _____.

11. _____ An Assignment is enclosed.

12. _____ The prior application is assigned of record to _____.

13. _____ A Power of Attorney by Assignee is enclosed.

14. _____ The power of attorney in the prior application is to:

(name)

(address)

(a) _____ The power appears in the original papers in the prior application.

(b) _____ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) X _____ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

15. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. _____ A Prior Art Statement is enclosed.

17. _____ I hereby verify that the attached papers are a true duplicate of prior application Serial No. _____ as originally filed on _____.

Date: March 15, 2000

Dolly A. Vance
Dolly A. Vance
Registration No. 39,054

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